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June 28, 2005

Mr. Philip Pavlov
Michigan House of Representatives
S 1185 House Building
P.O. Box 30014
Lansing, MI 48909-7513

Dear Phil:

I am writing to seek your help in amending the Michigan criminal code to deal with what I believe is a serious void in our Michigan statutes. The subject arises from Amy's death which, as you know, occurred a three and one-half years ago.

Amy's death occurred as a result of some tragic circumstances which I must explain so you will understand the origin of this request. A day or two before Amy's death she had a painful breakup with a long term boyfriend and the night of her death she had a chance encounter with the former boyfriend. He said some nasty things to her which led to a night of excessive drinking that left Amy in poor condition both physically and emotionally. She decided to stay the night with some "friends" and two individuals were at the apartment where she was going to stay. Those two individuals provided Amy with cocaine and heroin which resulted in Amy lapsing into a coma. I am advised she was in obvious distress but she was not provided any assistance until she stopped breathing. Ultimately, when Amy was taken to the hospital it was too late.

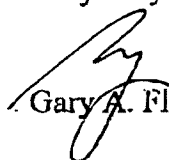
The Ann Arbor Police were at the hospital almost immediately and went to the apartment. The two individuals involved had left to dispose of the drugs. Ultimately, the police caught up with them and recovered the evidence from a dumpster. Steven Hiller of the Washtenaw County Prosecutor's Office spent considerable time reviewing the case in an effort to file serious criminal charges against the two individuals who caused Amy's death. Unfortunately, Mr. Hiller found a gaping hole in the law. Under the current state of Michigan law the two individuals could only be charged with drug delivery but not for either taking her life or failing to try and save her when she was in obvious distress. I later found out these two were long time drug dealers who showed no remorse for what they had done. We attended the first Defendant's sentencing and he acted like the entire matter was a joke. The Judge gave him a year in jail which is less than people get for killing someone in an automobile accident or some repeat drunk drivers are sentenced. Mary Lynne and Amanda were so devastated by the first sentencing we could not attend the second.

Mr. Hiller and I continued to talk about the troubling state of the law in Michigan. The two individuals involved intentionally furnished Amy with poison which we all know kills many of our children. She paid the ultimate price and they paid very little. As a result, Mr. Hiller and I discussed a potential change in the law which he and Mr. Brian L. Mackie, the Washtenaw County Prosecutor support. Their office did some research regarding how some other states handle this type of situation the results of which I enclose. As you can see, the other jurisdictions make the drug dealers who kill pay a much more serious price.

I understand Amy made a extreme mistake at a time when she was experiencing serious emotional distress. Nothing anyone can do or say will ever make up for her loss. What haunts us is the void in the law which allowed those who were ultimately responsible to pay such a small price. Therefore, I am asking that you consider introducing legislation to close this hole in the law such that people who provide the drugs that kill our youth will pay a serious price for their actions. I understand this will not change their conduct but they will be appropriately punished and will be taken off the streets so they do not kill others. This is the last thing I can do for Amy.

As you can see from the enclosed letter, Mr. Mackie and Mr. Hiller support this request and will provide whatever assistance they can. Thank you for your consideration of this request.

Very truly yours,


Gary A. Fletcher